

**U.S. Department of the Interior
Bureau of Land Management
Tres Rios Field Office
29211 Highway 184
Dolores, CO 81323**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-S010-2014-0027-CX

PROJECT NAME: Qwest Buried Telephone Wire ROWs Renewals

PLANNING UNIT: Tres Rios Field Office (TRFO)

LEGAL DESCRIPTION: NMPM, T. 34 N., R. 8 W., sec. 11 NE/SW, NW/SE, SW/SE and sec. 12 SW/SW, SE/SW, NW/SE, NE/SE.

APPLICANT: Centurylink

DESCRIPTION OF PROPOSED ACTION: The proposed action is to issue two existing right-of-way (ROW) grants held by Qwest Corporation to Centurylink. The two ROWs held by Qwest Corporation are buried telephone wire, serial numbers COC-26061 and COC-35370. The ROW grants expired in 2008 and 2012, respectively. New serial numbers would need to be issued, and back rent collected, but the ROWs are essentially renewals. Federal regulations under 43 CFR 2807.21(d) specify that BLM may add terms and conditions to the ROW grant when approving a renewal or assignment.

The proposed attached stipulations will be applied to all ROW grants when they are renewed or assigned on lands managed by the Tres Rios Field Office. These are the same standard stipulations that have been used on renewals and assignments for the past couple of years. All renewals and assignments will be subject to these stipulations, which specifically includes that the ROW holder will be required to contact BLM prior to any surface disturbing activity in the ROW, and the BLM will make a determination at that time whether or not additional clearances or stipulations would be necessary.

Renewals and assignments will continue to be subject to the stipulations contained in the original grant, in addition to the proposed stipulations, provided the original stipulations are not in conflict with the proposed, and if so, the proposed will supersede the original stipulations. Further, in accordance with regulations mentioned above, new stipulations can be added at the time of renewal or assignment, as determined necessary.

PLAN CONFORMANCE REVIEW: The Proposed Action has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion Not Established By Statute
DOI-BLM-CO-S010-2014-0027-CX**

September, 2014

Qwest Buried Telephone Wire ROWs Renewals

Location: NMPM, T. 34 N., R. 8 W., sec. 11 NE/SW, NW/SE, SW/SE and sec. 12 SW/SW
SE/SW, NW/SE, NE/SE.

Applicant/Address: Centurylink

Tres Rios Field Office
29211 Hwy 184
Dolores, CO 81323
970-882-7296
970-882-6841



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Renewals and assignments will continue to be subject to the stipulations contained in the original grant, in addition to the proposed stipulations, provided the original stipulations are not in conflict with the proposed, and if so, the proposed will supersede the original stipulations. Further, in accordance with regulations mentioned above, new stipulations can be added at the time of renewal or assignment, as determined necessary.

PLAN CONFORMANCE REVIEW: The Proposed Action has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

- effects on designated Critical Habitat for these species. _____ X
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. _____ X
10. Have disproportionately high and adverse effect on low income or minority populations. _____ X
11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. _____ X
12. Significantly, contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. _____ X

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Nathaniel West	Wildlife Biologist	T&E and Sensitive Species animals
Bruce Bourcy	Archaeologist	Cultural Resources and Native American Religious Concerns
Mike Jensen	Rangeland Management Specialist	T&E and Sensitive Species plants Invasive Species/Noxious weeds

REMARKS:

Cultural Resources: The Qwest Corporation ROWs issuance to Centurylink will not impact cultural resources provided the proposed stipulations are adhered to.

Native American Religious Concerns: The Qwest Corporation ROWs issuance to Centurylink will not impact Native American Religious Concerns provided the proposed stipulations are adhered to.

Threatened and Endangered Species: The Qwest Corporation ROWs issuance to Centurylink will not impact T&E and sensitive species provided the proposed stipulations are adhered to.

NAME OF PREPARER: Jennifer Jardine

NAME OF ENVIRONMENTAL COORDINATOR: Gina Jones

DATE: August 28, 2014

DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the proposed action with the terms and conditions attached.

Name of Plan: San Juan/San Miguel Resource Management Plan (RMP)

Date Approved: September 1985

Decision Name/Page/Language: It's the objective of the RMPs to respond in a timely manner to requests for land use authorizations on public land while considering environmental impacts and ensuring appropriate mitigation measures are applied.

Record of Decision for San Juan/San Miguel Resource Management Plan and Final Environmental Impact Statement at page 20.

Land Laws and Policies. The lands program in the planning area is primarily concerned with the authorization of uses on the public lands by others, including private parties, state, county, and other federal agencies. The objective is to ensure compatibility of the various multiple uses with environmental protection of natural resources.

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number E (9), which allows "renewals and assignments of leases, permits, or ROWs where no additional rights are conveyed beyond those granted by the original authorizations."

Do any of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion	YES	NO
1. Have significant adverse effects on public health and safety.	_____	<u> X </u>
2. Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.	_____	<u> X </u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	_____	<u> X </u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	<u> X </u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	_____	<u> X </u>
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	_____	<u> X </u>
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places.	_____	<u> X </u>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse	_____	<u> X </u>

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NAME OF PREPARER: Jennifer Jardine

NAME OF ENVIRONMENTAL COORDINATOR: Gina Jones

DATE: August 28, 2014


DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the proposed action with the terms and conditions attached.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 extraordinary circumstances above and have determined that none apply and therefore the action is categorically excluded from further environmental analysis.

All ROW renewals will be made subject to the attached proposed stipulations. These stipulations will provide for the protection of natural resources whereby the ROW holder will be required to contact the BLM prior to any surface disturbing activity, and BLM will determine if additional biological and cultural resource clearances or stipulations will be required at that time. Renewal processing will be expedited, by dealing with them in a systematic manner, because staff will no longer need to conduct extensive reviews of stipulations for each renewal. Renewals will continue to be subject to the stipulations contained in the original grant, in addition to the proposed stipulations, provided the original stipulations are not in conflict with the proposed, and if so, the proposed will supersede the original stipulations. Further, in accordance with regulations mentioned above, new stipulations can be added at the time of renewal, as determined necessary. Given these measures, natural resources will continue to be protected through this systematic ROW renewal process.

SIGNATURE OF

AUTHORIZED OFFICIAL:



Connie Clementson,
Field Manager
Tres Rios Field Office

DATE:

9-10-14